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## What is critical race theory, and why do Republicans want to ban it in schools?



A protester demonstrates May 11 against the teaching of critical race theory in front of a school district building in Los Alamitos, Calif. (Etienne Laurent/EPA-EFE/Shutterstock)

By Marisa Iati  
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The latest front in the culture wars over how U.S. students should learn history and civics is the concept of critical race theory, an intellectual tool set for examining systemic racism. With roots in academia, the framework has become a flash point as Republican officials across the country seek to prevent it from being taught in schools.

In reality, there is no consensus on whether or how much critical race theory informs schools' heightened focus on race. Most teachers do not use the term "critical race theory" with students, and they generally do not ask them to read the work of legal scholars who use that framework.

Some lessons and anti-racism efforts, however, reflect foundational themes of critical race theory, particularly that racism in the United States is systemic. The New York Times's landmark 1619 Project, which addresses slavery's role in shaping the nation, also has an associated school curriculum.

At least five Republican-led state legislatures have passed bans on critical race theory or related topics in recent months, and conservatives in roughly nine other states are pressing for similar measures. Some teachers have said they worry that the legislation will have a chilling effect on robust conversations, or could even put their jobs at risk, at a time when the nation is embroiled in a reckoning on race relations.

## **What is critical race theory?**

Critical race theory is an academic framework centered on the idea that racism is systemic, and not just demonstrated by individual people with prejudices. The theory holds that racial inequality is woven into legal systems and negatively affects people of color in their schools, doctors' offices, the criminal justice system and countless other parts of life.

The writings that coalesced into critical race theory date from the 1970s, when the late Harvard Law School professor Derrick Bell expressed frustration with what he saw as the limitations of the civil rights movement. He and other legal scholars — including Kimberlé Crenshaw, Richard Delgado and Mari Matsuda, among others — contended that civil rights laws and court victories had not actually managed to eradicate racial injustice.

Khiara Bridges, author of “Critical Race Theory: A Primer,” said traditional civil rights discourse maintained that racism would end when people stopped thinking about race. The dissenting scholars, she said, rejected that conclusion and believed race consciousness was necessary to overcoming racial stratification. Critical race theory emerged as an organized field in 1989, when academics gathered for the first Workshop on Critical Race Theory.

This way of thinking “compels us to confront critically the most explosive issue in American civilization: the historical centrality and complicity of law in upholding white supremacy,” some of the founding scholars wrote in 1995 in “Critical Race Theory: The Key Writings that Formed the Movement.”

While critical race theory does not have a set of doctrines, its scholars say they aim to overturn what they characterize as a bond between law and racial power. Critical race theory holds that race is a social construction upheld by legal systems and that racism is banal and common. Under this framework, George Floyd's killing and Black Americans' higher mortality rate from covid-19 are not aberrations, Bridges said.

“Critical race theory is an effort really to move beyond the focus on finding fault by impugning racist motives, racist bias, racist prejudice, racist animus and hatred to individuals, and looking at the ways in which racial inequality is embedded in structures in ways of which we are very often unaware,” said Kendall Thomas, co-editor of “Critical Race Theory: The Key Writings That Formed the Movement.”

## **What are the criticisms of critical race theory?**

Critics of this intellectual framework often contend that it is divisive and even racist to examine the role of race in U.S. systems and structures. Opponents also argue that critical race theory is a Marxist framework that suggests the nation is inherently evil and that White people should feel guilty for their skin color.

On May 14, several Republican members of Congress introduced a bill banning the teaching of

critical race theory in federal institutions and a resolution highlighting “the dangers” of teaching the theory in schools. In statements accompanying the announcement, the representatives said critical race theory promotes discrimination and stokes division.

“I grew up attending segregated schools in the Jim Crow South during a time when people were treated differently based on the color of their skin,” wrote Rep. Burgess Owens (R-Utah). “Critical Race Theory preserves this way of thinking and undermines civil rights, constitutionally guaranteed equal protection before the law, and U.S. institutions at large.”

The 1776 Project PAC, a new political action committee established to back school board candidates who oppose critical race theory, alleges that adherents to this framework are trying to remake the United States to reject capitalism and the nation’s founding principles. The PAC contends that critical race theory is “hostile to white people.”

While critical race theory is not characteristically Marxist, there is a loose connection. Scholars of “critical legal studies,” a precursor to critical race theory, included neo-Marxists “and other varieties of oppositionists in law schools,” according to “Critical Race Theory: The Key Writings That Formed the Movement.” Critical race theorists diverged from critical legal studies scholars to focus on studying race, Bridges said.

Some critical race theorists also believe that racism endures because it is profitable and that fighting racism therefore must mean opposing capitalism, Bridges said — but that opinion is far from universal within the field.

Critical race theorists disagree about whether the United States can overcome racism. While some believe racial discrimination will always exist, Bridges said others are more optimistic. Thomas said in his understanding, critical race theory maintains that racism “does not have to define our future if we have the will and the courage to reckon with it.”

Rather than encouraging White people to feel guilty, Thomas said critical race theorists aim to shift focus away from individual people’s bad actions and toward how systems uphold racial disparities.

## **What do conservatives mean when they use the term ‘critical race theory’?**

Although the phrase “critical race theory” refers to an area of academic study, its common usage has diverged from its exact meaning. Conservative activists and politicians now use the term as a catchall phrase for nearly any examination of systemic racism in the present. Critical race theory is often portrayed as the basis of race-conscious policies, diversity trainings and education about racism, regardless of how much the academic concept actually affects those efforts.

In a public presentation this month, a member of Utah’s state school board offered a long list of

words that she said were euphemisms for critical race theory, including “social justice,” “culturally responsive” and “critical self-reflection.”

The Heritage Foundation, a right-leaning think tank, recently attributed a range of events to critical race theory: property destruction and violence during the Black Lives Matter protests of 2020, efforts to fire a Yale University professor amid a Halloween costume controversy, two White actresses stating that they would not play mixed-race characters, and the school shooting in Parkland, Fla., that killed 17. They reasoned that critical race theory makes race the primary lens through which people see the world and reimagines the United States as divided by factions that are pitted against each other.

Christopher Rufo, a prominent opponent of critical race theory, in March acknowledged intentionally using the term to describe a range of race-related topics and conjure a negative association.

“We have successfully frozen their brand — ‘critical race theory’ — into the public conversation and are steadily driving up negative perceptions,” wrote Rufo, a senior fellow at the Manhattan Institute, a conservative think tank. “We will eventually turn it toxic, as we put all of the various cultural insanities under that brand category. The goal is to have the public read something crazy in the newspaper and immediately think ‘critical race theory.’”

## **What does critical race theory have to do with schools?**

Since the murder of George Floyd by a police officer last year, schools across the country have been overhauling their curriculums to address systemic racism and seek to make classrooms more equitable. Among other efforts, districts are instituting anti-bias training for teachers and requiring that history lessons include the experiences of marginalized groups.

Conservative politicians have pushed back on these attempts to talk about race more often. Critics say teachers are trying to “rewrite history” and should not consider race when interacting with students. Proponents counter that discussing race creates more inclusive schools and helps students overcome systemic barriers restricting their achievement.

Academic critical race theorists do not necessarily agree on whether schools are promoting critical race theory. Bridges said she would not characterize the increased focus on diversity and multiculturalism as critical race theory, while Thomas said critical race theory “is defined by this more expansive view of history now taught in classrooms.”

## **What is the status of efforts to ban critical race theory?**

In September, President Donald Trump directed federal agencies to cease any trainings related to critical race theory, White privilege or other forms of what he called “propaganda.” A federal judge later blocked the directive on First Amendment grounds, and President Biden rescinded the ban after he took office.

The anti-critical race theory movement is now focused on classrooms, with Senate Republicans criticizing the Biden administration in April for pushing for federal funding for U.S. history programs that “reflect the diversity” of all students. Most efforts to stop the teaching of systemic racism have played out in state legislatures, at least a dozen of which have taken up the issue in recent months.

Republican-led legislatures in Arkansas, Idaho, Tennessee, Texas and Oklahoma have passed bans, with some restricting the teaching of critical race theory in public colleges, in addition to lower-level classrooms. A teacher at Oklahoma City Community College said this week that the race theory class she has taught for six years was canceled because of her state’s new law. A spokesman for the college confirmed that the class has been paused while administrators evaluate the legislation’s ramifications.

Republican lawmakers, governors, prosecutors and political candidates are also pressing the issue in a range of other states, from Utah to New Hampshire. While some bills name critical race theory, others reference “divisive concepts” or race-related guilt.

“Let me be clear, there’s no room in our classrooms for things like critical race theory,” Florida Gov. Ron DeSantis (R) said in March at a news conference. “Teaching kids to hate their country and to hate each other is not worth one red cent of taxpayer money.”

In Utah, Democratic members of the state’s House walked off the floor to protest a resolution recommending the state review school curriculums that address how racism influences American politics, culture and law.

“What this is about is an attempt or first step in assuring that my history and the history of many people of color are not taught in our school system in the state of Utah,” Rep. Sandra Hollins, the only Black member of Utah’s legislature, told the Associated Press at the time.

The American Civil Liberties Union characterized the bans as an attempt to silence teachers and students and impose a version of American history “that erases the legacy of discrimination and lived experiences of Black and Brown people.”

“Our country needs to acknowledge its history of systemic racism and reckon with present day impacts of racial discrimination — this includes being able to teach and talk about these concepts in our schools,” the ACLU wrote.

These attempts to restrict the teaching of critical race theory and broader lessons about racism are likely to face legal challenges focused on the constitutional right to free speech, and it is unclear how courts will rule.

*Laura Meckler and Hannah Natanson contributed to this report.*

